

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
L & R Oil Recovery - Removal Polrep
Initial Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: POLREP #1
Initiation of Emergency Response Actions
L & R Oil Recovery
C466
Shelby, NC
Latitude: 35.2995780 Longitude: -81.5287140

To: James Webster, USEPA R4 ERRPB
James Bateson, NCDEQ

From: Kevin Eichinger, Federal On-Scene Coordinator (FOSC)

Date: 9/19/2018

Reporting Period: September 14, 2018 through September 21, 2018

1. Introduction

1.1 Background

Site Number:	C466	Contract Number:	
D.O. Number:		Action Memo Date:	9/21/2018
Response Authority:	CERCLA	Response Type:	Emergency
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	9/14/2018	Start Date:	9/14/2018
Demob Date:		Completion Date:	
CERCLIS ID:	NCR000169185	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

Comprehensive Environmental Response, Compensation and Liability Act Active Facility.

1.1.2 Site Description and Location

The L&R Oil Recovery Site (the Site) is a 1.14-acre facility which originally operated as an oil trans-load business. The address of the facility is 501 Ruth Street, Shelby, Cleveland County, North Carolina. The geographical coordinates are 35.29957, -81.5287140. It is currently operated as a used oil and used oil filter recovery center. The Site consists of a 6,500 square foot single-story building and a two-bay covered loading rack. This main building is dilapidated. The roof is not intact, and a section of the concrete floor is missing. The used oil is stored onsite in tankers and then transported to a used oil recycling facility. The oil filters are drained into containers inside the building and then stored for disposal in a covered roll-off dumpster. Multiple intermediate bulk containers (IBC) and 55-gallon drums are also stored inside and outside the building. There are seven 20,000-gallon underground storage tanks (UST) on the property. The Potentially Responsible Party (PRP) reports that two of the USTs contain an unknown amount of diesel fuel and water. One oil recovery truck is stored in the loading rack. The Site is located directly adjacent to a residential community. The Site is fenced; however, there is evidence of trespassing and vandalism.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

On September 14, the North Carolina Department of Environmental Quality (NCDEQ), the City of Shelby and Cleveland County officials responded to an emergency request reporting an approximately 3,000-gallon spill of oil. A 6,500-gallon tanker, used to store used oil, discharged its contents into the building via a connected hose placed through a window. The oil filled the entire building and ran out into the property and onto Ruth Street. The Site experienced rain from the Hurricane Florence outer rain bands. A nearby storm drain and several sections of the sanitary sewer system were impacted by the spill. The storm drains lead to Hickory Creek which is a tributary of the Broad River. One residential property was impacted by the spill. Two samples of oil, spilled from the 6,500-gallon tanker, were obtained and sent offsite for analytical testing. The analytical results indicated that the spilled oil contained PCBs (Aroclor 1242) at concentrations of 20.9 ppm and 18.3 ppm. The Site is not located in a Hurricane Florence natural disaster declared county.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

2.1.2 Response Actions to Date

On September 14, NCDEQ, the City of Shelby and Cleveland County officials responded to an emergency request reporting a discharge of oil. Sand and oil dry were spread to absorb and contain the spill. The City of Shelby contracted with an environmental services company and removed the oil from the storm drain structure. The NCDEQ staff assessed the outfall to Hickory Creek and did not observe an oil sheen.

The EPA, using a contract provision (Notice-To-Proceed), contracted with a local response contractor through a Basic Ordering Agreement. The response contractor was mobilized on 9/14/2018 for the initial site stabilization. The response contractor arrived on scene late in the afternoon with personnel, a vacuum truck and other response equipment needed to address the spill. Federal On-Scene Coordinator (FOSC) Englert coordinated the initial stabilization efforts from the Regional Emergency Operations Center (REOC). FOSC Eichinger responded and assumed the Site on September 18. The EPA Superfund Technical Assessment and Response Training (START) contractors were mobilized to support the FOSC. FOSC Eichinger arrived on scene and met with the property owner and the response contractor. Response operations from the previous operations were reviewed. The property owner provided FOSC Eichinger with written access to perform the necessary response operations. The EPA Emergency and Rapid Removal Services (ERRS) contractors were mobilized on September 18 to address a leaking tanker containing PCB-containing oil.

During the previous and current operational periods, the local response contractor performed the following operations:

- Cleaned the road surface,
- Excavated contaminated soil at the site and at one nearby residential property,
- Removed bulk spilled oil from inside the building and oil that was collected by earthen berms,
- Used absorbent to remove residual oil inside the building, and,
- Installed hay bales and oil absorbent booms around the perimeter fence line of the building to contain any residual oils.

The local response contractor demobilized on September 19, 2018.

START contractors conducted hazard categorization (HAZCAT) testing on the contents inside of drums and IBCs. HAZCAT Test and Analytical Sampling were performed on the following:

- 48 - 275 and 330-gallon intermediate bulk containers (IBC) of used/waste oil,
- 57 - 55-gallon drums,
- 1 - DOT 306AL tanker containing approximately 8,600-gallons of PCB containing waste oil.
(NOTE: The PRP provide analytical results for material. Results indicated that the oil contained 25,613 ppm Aroclor 1242.) The tanker is leaking from behind the shutoff valves, and the leak cannot be secured,
- 1 - 6,500-gallon tanker used to store used oil. The tanker still contains approximately 1,000 gallons of PCB-contaminated used oil. EPA analytical results indicated that the oil contains PCBs at 20.9 ppm.

Samples were obtained from the IBCs, drums and the two tankers and sent offsite for analytical testing. The test requested were Volatile Organic Compounds, Semi-Volatile Organic Compounds, RCRA 8 Metals, PCBs, Flash Point, Corrosivity and BTU Value.

The PCB oil from the two tankers was transferred to IBCs and staged inside secured storage containers (CONEX box) pending receipt of waste profile approval and finalization of disposal arrangements. Other liquid waste was either staged inside the building or under the unused covered loading rack. A total of 27 IBCs of PCB-containing waste oil (approximately 6,750 gallons) and 4½ - IBCs of PCB-contaminated waste oil (approximately 1,125 gallons) were generated. PCB sludge remains in both tankers

The City of Shelby provided stormwater maps for the area. START and EPA assessed areas where the stormwater day-lighted on Suttle Street and identified an oil sheen. The unnamed tributary to Hickory Creek which receives the City's stormwater was also assessed. No oil sheening was observed in this unnamed tributary. Oil absorbent boom will be maintained at the storm drain culvert at the end of Oak Street. This location was used during the initial emergency response.

With the Site secured, EPA, START and ERRS demobilized on September 21.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

The PRP stated that he did not have the funds available to respond to the spill or perform any of the required cleanup. The NCDEQ requested EPA assistance. FOSC Eichinger will work with EPA's Enforcement Team to identify PRPs. The PRP information is found in the attached Enforcement Addendum.

2.1.4 Progress Metrics

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>
Oil Contaminated Debris	Solid	~80 cubic yards	TBD		Landfill
Used Oil	Liquid	~1850 gallons	TBD	Recovery	
Oil/Water Mixture	Liquid	~1700 gallons	TBD	Waste Water Treatment	

PCB Containing Oil (>50 ppm)	Liquid	~6,750 gallons	TBD	TBD	TBD
PCB Contaminated Oil (<50 ppm)	Liquid	~1,125 gallons	TBD	TBD	TBD

2.2 Planning Section

2.2.1 Planned Response Activities

The following activities are planned during the next operational periods:

1. Continue the disposal approval process for waste material generated during the initial emergency response. The PCB concentration of this material is less than 50 ppm,
2. Begin the disposal approval process for waste material that previously existed on the site. This process will begin when the analytical sample results are received,
3. After each rain event, replace oil absorbent materials installed to collect any residual oils that may be released from the site,
4. Conduct market research to determine decontamination options for the 9,450-gallon tanker that held the PCB-containing waste oil,
5. Install silt fencing between the Site and the residential properties, and,
6. Develop plans to either decontaminated or demolish the main building. PCB-contaminated oil has seeped into the cinder block walls and is a source of continuous release.

2.2.2 Next Steps

On September 17, the NCDEQ Hazardous Waste Section formally referred the Site to the Region 4 EPA's Emergency Response, Removal and Prevention Branch for Time-Critical Removal Action consideration. The facility is located near residential structures, and the PRP does not have the funding available to perform the necessary remedial actions needed to prevent further environmental harm, or to remove the waste oil contaminated with PCBs. Substantial remediation of the Site may be necessary as oil may have contaminated the soil underneath the building pad and there is a concern that historical contamination has occurred.

2.2.3 Issues

No pertinent information to report at this time.

2.3 Logistics Section

Logistical support for the response was provided by EPA BOA, ERRS and START contractors.

2.4 Finance Section

2.4.1 Narrative

The response was initially funded through the National Pollution Oil Fund Center. Funding was switch to a CERCLA account when Polychlorinated Biphenyls (PCB) were detected in the spilled oil.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS/BOA - Cleanup Contractor	\$200,000.00	\$85,000.00	\$115,000.00	57.50%
TAT/START	\$30,000.00	\$25,000.00	\$5,000.00	16.67%
Contingency	\$20,000.00	\$0.00	\$20,000.00	100.00%
Intramural Costs				
Total Site Costs	\$250,000.00	\$110,000.00	\$140,000.00	56.00%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Other Command Staff

No pertinent information to report at this time.

3. Participating Entities

EPA is coordinating all activities with NCDEQ Division of Waste Management and Division of Water Resources and the City of Shelby.

4. Personnel On Site

One FOSC was on-site (starting 9/18/2018) coordinating response operations. Multiple personnel from State and Local Agencies assisted with the response. Contracting resources from EPA BOA, ERRS and START programs mobilized to the site.

5. Definition of Terms

No pertinent information to report at this time.

6. Additional sources of information

6.1 Internet location of additional information/report

Additional information can be found at response.epa.gov/LROilRecovery. Log-in credentials may be required to view certain content.

6.2 Reporting Schedule

Pollution Reports (POLREP) will be drafted weekly based on activities at the site. This schedule will change and be less frequent as the emergency response progresses. Please note that POLREP must be review and approved prior to publication, so there may be a delay.

7. Situational Reference Materials

Additional information can be found at response.epa.gov/LROilRecovery. Log-in credentials may be required to view certain content.